

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

DATATREASURY CORPORATION  
*PLAINTIFF*

v.

WELLS FARGO & COMPANY, *et al*  
*DEFENDANTS*

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§  
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CIVIL ACTION No. 2:06CV72

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**AFFIDAVIT OF ANTHONY K. BRUSTER**

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STATE OF TEXAS           §  
                                     §  
COUNTY OF BOWIE       §

BEFORE ME, the undersigned notary public, on this day personally appeared before me Anthony K. Bruster who, being by me first duly sworn, on oath stated as follows:

1. My name is Anthony K. Bruster. I am over the age of 18 and competent to make this affidavit. I am an attorney at NIX, PATTERSON & ROACH, LLP, counsel for DataTreasury Corporation in this action. I am a member of good standing of the State Bars of Texas, Arkansas, Louisiana, and New Mexico, and admitted to practice in this District. I have personal knowledge of the facts set forth in this Affidavit.


2. Attached as Exhibit 1 is a true and correct copy of relevant portions of UnionBanCal Corporation's 2005 10-K SEC Filing. The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

3. Attached as Exhibit 2 is a true and correct copy of a printout of the web address [www.snl.com/irweblinkx/corporateprofile.aspx?IID=1022285](http://www.snl.com/irweblinkx/corporateprofile.aspx?IID=1022285). The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

4. Attached as Exhibit 3 is a true and correct copy of an Order filed November 16, 2004 in *DataTreasury vs. SVPCo*.

5. Attached as Exhibit 4 is a true and correct copy of a printout of the web address [www.theclearinghouse.org/about/000211f.php](http://www.theclearinghouse.org/about/000211f.php). The relevant portions have been accurately explained in the body of the Response filed with this Affidavit.

6. Further Affiant sayeth not.

A handwritten signature in black ink, appearing to read "Anthony K. Bruster", is written over a horizontal line.

ANTHONY K. BRUSTER

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 23<sup>rd</sup> day of June, 2006.

A handwritten signature in black ink, appearing to read "Kim Garner", is written over a horizontal line.

Notary Public

My Commission Expires: November 22, 2007